

Jonathan Schwalb, Esq.  
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Attorneys for SN Servicing Corporation as servicer for  
U.S. Bank Trust National Association, as Trustee of  
FW-BKPL Series I Trust  
P: (212) 471-5100  
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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

IN RE:

Robert J. McWilliams  
Debtors

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:  
: CASE NO.: 17-20414-JNP  
:  
: CHAPTER: 13  
:  
: HON. JUDGE.: Jerrold N. Poslusny  
: Jr.  
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**CERTIFICATION OF DEBTOR(S) DEFAULT AND REQUEST FOR ENTRY OF AN  
ORDER VACATING THE AUTOMATIC STAY AS TO REAL PROPERTY AS TO  
SECURED CREDITOR**

I Dalip Sharma hereby certify as follow:

1. I am an Asset Manager for SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of FW-BKPL Series I Trust, a secured creditor of the debtor.
2. After the debtor's first default in payments, Secured Creditor filed a Motion for Relief from Stay on November 11, 2018 (Docket #27). Subsequently, Secured Creditor resolved the issues with the Debtor's attorney and an Order was entered on December 27, 2018,

Docket #32) resolving the Motion for Relief from Stay. After the debtor's second default in payments, Secured Creditor filed a Creditor's Certification of Default on April 9, 2020 (Docket #42). Subsequently, Secured Creditor resolved the issues with the Debtor's attorney and an Order was entered on May 20, 2020, Docket #50) resolving the Creditor's Certification of Default. After the debtor's third default in payments, Secured Creditor filed a Creditor's Certification of Default on April 19, 2021 (Docket #53). Subsequently, Secured Creditor resolved the issues with the Debtor's attorney and an Order was entered on June 21, 2021, Docket #68) resolving the Creditor's Certification of Default. The duly entered Order provided for, among other things, the Debtor to resume monthly mortgage payments beginning June 1, 2022. The remaining terms of the Order are set forth in the annexed **Exhibit A**, a true copy of the Order resolving the original Motion for Relief from Stay. The Court's attention is respectfully directed to the default clause of the Order providing for the submission of the within Certification and form of Order upon default.

3. As of the execution of this certification, according to Secured Creditor's records, the Debtor has failed to comply with the terms of the Order by failing to make the monthly mortgage payments. The Debtor is currently due for 6 monthly payments (January 1, 2022, x \$1,336.73, February 1, 2022 – June 1, 2022 x \$1,344.49, less suspense of \$62.10 + Late Charges \$103.53. The total amount past due is \$8,100.61. The above-mentioned payments are more than 30 days delinquent.
4. Simultaneously with the submission to the Court of the within Certification and proposed form of Order, copies of these documents are being served upon the Debtor, Debtor's attorney, and the Standing Trustee.
5. Based on the above, the Debtor has failed to meet the conditions to continue the Automatic Stay, and it is respectfully requested that this Court enter an Order Vacating the Automatic Stay as to Real Property as to Secured Creditor.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 7/6/2022

  
Signature

Jonathan Schwalb, Esq.  
Friedman Vartolo LLP  
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Attorneys for SN Servicing Corporation as servicer for  
U.S. Bank Trust National Association, as Trustee  
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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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IN RE:	:	CASE NO.: 17-20414-JNP
	:	
	:	CHAPTER: 13
	:	
Debtor(s) Robert J. McWilliams	:	HON. JUDGE.: Jerrold N. Poslusny
	:	Jr.
	:	
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**CERTIFICATION RE POST CONSENT ORDER PAYMENT HISTORY**

Dalip Sharma of full age, employed as Asset Manager by SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of FW-BKPL Series I Trust, hereby certifies the following information:

Property Address: 427 Oakland Avenue, Maple Shade, NJ 08052

Mortgage Holder: SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of FW-BKPL Series I Trust

Mortgagor(s)/Debtor(s): Robert J. McWilliams

POST CONSENT ORDER PAYMENTS (Filed 05/22/2017)

Amount Due	Due Date	Mo/Yr Payment Applied	Amount Received	Date of Payment	Running Suspense
\$1,336.73	6/1/2021	6/1/2021	\$1,397.81	08/30/2021	\$942.52
\$1,336.73	7/1/2021	7/1/2021	\$1,397.81	11/01/2021	\$1,003.60
\$1,336.73	8/1/2021	8/1/2021	\$1,397.81	12/20/2021	\$1,064.68
\$1,336.73	9/1/2021	9/1/2021	\$1,548.72	02/28/2022	\$1,276.67
\$1,336.73	10/1/2021	10/1/2021	\$1,397.81	03/01/2022	\$1,337.75
\$1,336.73	11/1/2021	11/1/2021	\$1,397.81	03/01/2022	\$1,398.83
\$1,336.73	12/1/2021	12/1/2021	From Suspense		\$62.10
\$1,336.73	1/1/2022	1/1/2022			
\$1,344.89	2/1/2022	2/1/2022			
\$1,344.89	3/1/2022	3/1/2022			
\$1,344.89	4/1/2022	4/1/2022			
\$1,344.89	5/1/2022	5/1/2022			
\$1,344.89	6/1/2022	6/1/2022			
Total: \$17,418.29			Total: \$8,537.77		Total: \$62.10

Monthly payments past due: 1 mos. x \$1,336.73 (Monthly Payments 1/2022) x 5 mos. x \$1,344.89 (Monthly Payments 2/2022 – 6/2022) - (Suspense) \$62.10 + Late charges \$103.53 = \$8,100.61 as of 6/3/2022.

Effective current monthly payment is comprised of:

Principal & Interest	\$862.80
Escrow	\$482.09
Late Charge	\$0.00
Other	\$0.00
TOTAL	\$1,344.89

If the monthly payment has changed during the pendency of the case, please explain (attach separate sheet(s) if necessary):

05/04/2018	Notice of Mortgage Payment Change
04/08/2019	Notice of Mortgage Payment Change
10/10/2019	Notice of Mortgage Payment Change
04/06/2020	Notice of Mortgage Payment Change
03/31/2021	Notice of Mortgage Payment Change
01/05/2022	Notice of Mortgage Payment Change

Prepetition arrears: \$27,302.35

I certify under penalty of perjury that the foregoing is true and correct.

7/6/2022  
Date

Dalip Sharma

Jonathan Schwalb, Esq.  
Friedman Vartolo LLP  
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Garden City, NY 11530  
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Debtors	: Jr.
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**ORDER VACATING AUTOMATIC STAY**

The relief set forth on the following page numbered two (2) is hereby **ORDERED**.

Upon the motion of SN Servicing Corporation as servicer for SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of FW-BKPL Series I Trust, on behalf of its successors and/or assigns (hereinafter collectively “Secured Creditor” and/or “Movant”) under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

**ORDERED** that the automatic stay of Bankruptcy Code Section 362(a) is vacated to permit the Movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

[x] Real property commonly known and more fully described as: 427 Oakland Avenue, Maple Shade, NJ 08052,

**ORDERED** that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversation to any other chapter of the Bankruptcy Code; and it is further

**ORDERED**, that the stay afforded by 11 U.S.C. §362(a) be, and is hereby, modified to permit SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of FW-BKPL Series I Trust, it’s successors and/or assigns, to pursue its rights under applicable state law with respect to the premises 427 Oakland Avenue, Maple Shade, NJ 08052; and it is further

**ORDERED**, that the instant order is binding in the event of a conversion; and it is further

**ORDERED**, that the Movant is granted reasonable attorney fees in the amount of \$200.00; and it is further

**ORDERED**, that the trustee be informed of any surplus monies resulting from the sale of the collateral.

**ORDERED**, that the movant shall serve this order on the debtor, any trustee, and any other party who entered an appearance on the motion.

# Exhibit “A”



Order Filed on June 21, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
KML Law Group, P.C.  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
Main Phone: 609-250-0700  
dcarlon@kmlawgroup.com  
Attorneys for Secured Creditor  
Carisbrook Asset Holding Trust

In Re:  
Robert J. McWilliams  
  
Debtor.

Case No.: 17-20414 JNP

Adv. No.:

Hearing Date: 5/18/2021 @ 11:00 a.m..

Judge: Jerrold N. Poslusny Jr.

**ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION OF  
DEFAULT**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: June 21, 2022**

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

**(Page 2)**

Debtor: Robert J. McWilliams

Case No: 17-20414 JNP

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING  
CERTIFICATION OF DEFAULT

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Carisbrook Asset Holding Trust, Denise Carlon appearing, upon a certification of default as to real property located at 427 Oakland Avenue, Maple Shade, NJ, 08052, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Stacey L. Mullen, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of May 17, 2021, Debtor is due for the May 2021 post-petition payment; and

It is **ORDERED, ADJUDGED and DECREED** that Debtor shall make the May 2021 payment by May 31, 2021; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume June 1, 2021 directly to Secured Creditor's servicer, SN Servicing Corp, P.O. Box 660820, Dallas, TX 75266-0820 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs up to the sum of \$350.00 in an amount to be included in a post-petition fee notice for attorneys' fees, which is to be paid through Debtor's Chapter 13 plan;

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Certification of Default is hereby resolved.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

In Re:

Case No.: \_\_\_\_\_

Chapter: \_\_\_\_\_

Adv. No.: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Judge: \_\_\_\_\_

**CERTIFICATION OF SERVICE**

1. I, \_\_\_\_\_ :

☐ represent \_\_\_\_\_ in this matter.

☐ am the secretary/paralegal for \_\_\_\_\_, who represents  
\_\_\_\_\_ in this matter.

☐ am the \_\_\_\_\_ in this case and am representing myself.

2. On \_\_\_\_\_, I sent a copy of the following pleadings and/or documents  
to the parties listed in the chart below.

3. I certify under penalty of perjury that the above documents were sent using the mode of service  
indicated.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
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		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)